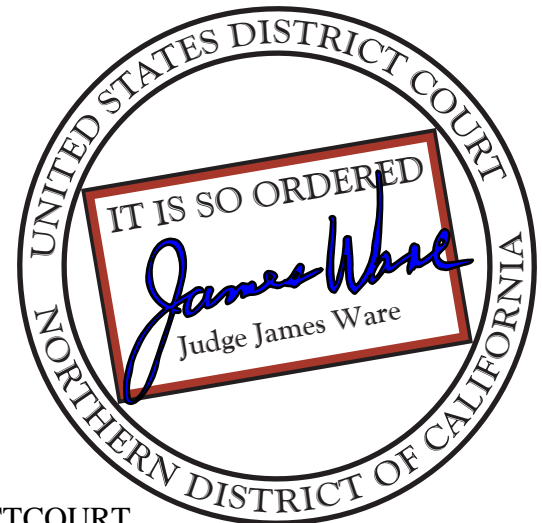


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Attorneys for Defendant  
GreenPoint Mortgage Funding, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION



CARLOS H. PEREZ, individually, and on  
behalf of the general public,

Plaintiff,

vs.

GMAC MORTGAGE US A CORPORATION,  
a/k/a GMAC MORTGAGE, LLC, a Delaware  
corporation; MORTGAGE ELECTRONIC  
REGISTRATIONS SYSTEMS, INC., a  
Delaware corporation; EXECUTIVE  
TRUSTEES SERVICES, LLC, a Delaware  
limited liability company; GREENPOINT  
MORTGAGE FUNDING, INC., a New York  
corporation; ANDRUS & ASSOCIATES,  
INC., a California corporation; PAUL RAY  
ANDRUS, individually and in his official  
capacity; HOME COMINGS FINANCIAL,  
LLC, a Delaware limited liability company;  
COUNTRYWIDE HOME LOANS, INC., a  
New York corporation; SOUTH PACIFIC  
FINANCIAL CORPORATION, a California  
corporation; RESIDENTIAL MORTGAGE  
CAPITAL, d/b/a FIRST SECURITY LOAN, a  
California corporation; JAMES JOHN  
CHAPMAN, individually and in his official  
capacity; LUIS G. BARRIOS, individually and  
in his official capacity; ELIZABETH P.  
CAMPOS, individually and in her official  
capacity; and DOES I through 20, inclusive.,

Defendants.

Case No.: 5:08-CV-01972-HRL

**STIPULATION AND PROPOSED  
ORDER TO STRIKE PORTIONS OF  
FIRST AMENDED COMPLAINT**

1 Plaintiff and defendant GreenPoint Mortgage Funding stipulated to striking the following  
 2 from the First Amended Complaint:

- 3 1. Caption, the words: "and on behalf of general public"
- 4 2. Paragraph 310, the words: "and in his capacity as a private attorney general."
- 5 3. Paragraph 311, the words: "representative of" (line 25); and "group and a  
 6 private attorney general on behalf of the general public and other" (lines 25-26).
- 7 4. Paragraph 314, the words: "and other unsophisticated Spanish speaking customers  
 8 of the general public" (line 17); "and members of the general public" (line 19); and "and other  
 9 members of the general public who were sold home loans by Defendants" (line 22).
- 10 5. Paragraph 316, the words: "and other members of the general public who were  
 11 sold home loans by Defendant."
- 12 6. Paragraph 318, the words: "and other members of the general public" (line 8).
- 13 7. Paragraph 319, the words: "and members of the general public" (line 11); "if not  
 14 millions" (line 11); "and other members of the general public" (line 12).
- 15 8. Paragraph 320, the words: "and members of the general public" (line 16).

16 IT IS SO STIPULATED.

17 DATED: June 9, 2008

CONSUMER LAW CENTER

19 By: /S/  
 20 Fred W. Schwinn

21 Attorney for Plaintiff  
 Carlos H. Perez

22 DATED: June 9, 2008

SEVERSON & WERSON  
 A Professional Corporation

24 By: /S/  
 25 Sunny S. Huo

26 Attorneys for Defendant  
 GreenPoint Mortgage Funding

27 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
 28 "conformed" signature (/S/) within this filed document.

For good cause shown, the Court GRANTS the parties' Stipulation to strike portions of the First Amended Complaint. The Court will order an Amended Complaint after the hearing on Defendants' Motion for Partial dismissal currently set for October 6, 2008.

DATED: June 23, 2008

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Perez, et al. v. GMAC, et al.  
Case No.: 5:08-CV-01972-HRL

### PROOF OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Francisco, California; my business address is Severn & Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

On the date below I served a copy, with all exhibits, of the following document(s):

### STIPULATION AND PROPOSED ORDER TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT

on all interested parties in said case addressed as follows:

John Hockhausler  
Locke Lord Bissell & Liddell LLP  
300 South Grand Avenue  
Suite 800  
Los Angeles, CA 90071

Balam O Letona  
Law Office of Balam O. Letona, Inc.  
Suite 203  
1347 Pacific Avenue  
Suite 203  
Santa Cruz, CA 95060-3940

☒ **(BY MAIL)** By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California in sealed envelopes with postage fully prepaid.

☐ **(BY HAND)** By placing the documents in an envelope or package addressed to the persons listed above and providing them to a professional messenger service for delivery.

☐ **(BY FEDERALEXPRESS)** By depositing copies of the above documents in a box or other facility regularly maintained by Federal Express with the delivery fees paid or provided for.

☐ **(BY FAX)** By use of facsimile machine telephone number (415 ) 956-0439. If faxed a true copy to the addressee(s) listed above at the facsimile number(s) noted after the party's address. The transmission was reported as complete and without error. The attached transmission report, which sets forth the date and time for the transmission, was properly issued by the transmitting facsimile machine.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct. This declaration is executed in San Francisco, California, on June 9, 2008.

/s/ C.L. Sloan  
C.L. Sloan